

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LOYALTY CONVERSION SYSTEMS  
CORPORATION,

Plaintiff,

v.

AMERICAN AIRLINES, INC., et al.,

Defendants.

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Case No. 2:13-CV-655

**ORDER**

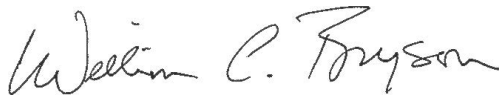
On August 28, 2014, following the hearing on claim construction in this case, the Court will hold a hearing on the plaintiff's motion for a preliminary injunction (Dkt. No. 91). If any party intends to call witnesses during that proceeding, that party should advise the Court and counsel for each of the other parties of the identity of the witnesses to be called and the proposed subject matter of each witness's testimony. Such notice shall be given on or before August 8, 2014. The Court is particularly interested in focusing on whether a preliminary injunction should be granted against JetBlue Airways Corporation.

In connection with the hearing on the plaintiff's motion for a preliminary injunction, the plaintiff and defendant JetBlue Airways Corporation are directed to submit supplemental briefing to the Court addressing the following questions: (1) whether the claims brought by Jet Blue in its action against the plaintiff and related parties in the United States District Court for the Southern District of New York, JetBlue Airways Corp. v. Copytele Inc. et al., Civil Action

No. 1:14-cv-1782, for breach of contract, declaratory judgment, fraud, and promissory estoppel, would be compulsory counterclaims in the present action; and (2) if so, whether it would be appropriate for this Court to enjoin JetBlue from prosecuting those claims in the New York action; and (3) whether the claims in the New York action arise under an Act of Congress relating to patents, and if so, based on what legal authority or analysis. The supplemental briefs are to be no more than 15 pages in length and are to be filed by August 15, 2014.

IT IS SO ORDERED.

SIGNED this 29th day of July, 2014.

A handwritten signature in cursive script, reading "William C. Bryson". The signature is written in dark ink and is positioned above a horizontal line.

WILLIAM C. BRYSON  
UNITED STATES CIRCUIT JUDGE